

**Notice of Allowability****Application No.**

09/883,508

**Applicant(s)**

BEDELL ET AL.

**Examiner**

LI B. ZHEN

**Art Unit**

2194

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to BPAA decision mailed 01/16/2009 and interview on 5/11/2009.
2. ☒ The allowed claim(s) is/are 6-9 and 15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 20020926
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 20090511
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

/Li B. Zhen/  
Primary Examiner, Art Unit 2194

/Lewis A. Bullock, Jr./  
Supervisory Patent Examiner, Art Unit 2193

### **DETAILED ACTION**

1. The Board of Patent Appeals and Interferences affirmed the rejection(s) against independent claim(s) 1, 10 and 18, but reversed rejections against dependent claim(s) 6 – 9 and 15.

MPEP § 1214.06 (I)(B)(1) states:

(B) If the Board or court affirms a rejection against an independent claim and reverses all rejections against a claim dependent thereon, \*\* after expiration of the period for further appeal, >the examiner< should proceed in one of two ways:

(1) Convert the dependent claim into independent form by examiner's amendment, cancel all claims in which the rejection was affirmed, and issue the application;

In accordance with MPEP § 1214.06 (I)(B)(1), reversed dependent claims 6 and 15 are converted into independent form and affirmed claims 1 – 5, 10 – 14 and 16 – 18 are cancelled.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Osvaldo Farres (Reg. No. 43,606) on May 11, 2009.

During the interview, examiner indicated that converted claim 15 (including the base claim 10 and intervening claim 14) is rejected under 35 USC 101 for being directed to non-statutory subject matter. Converted claim 15 recites a system

application comprising a user interface and an operational module. Converted claim 15 does not require the system application to be stored on any computer readable medium; therefore, the claim is directed to software only. Computer software is functional descriptive material; however, function descriptive material is nonstatutory when claimed as descriptive material per se. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Examiner suggested amending the converted claim 15 to recite a "system application stored on a computer-readable storage medium" to clearly recite statutory subject matter. Mr. Farres authorized the amendment to converted claim 15 according to examiner's suggestion.

The application has been amended as follows:

- a. Cancel claims 1 – 5, 10 – 14 and 16 – 18; and
- b. Replace claims 6 and 15 with the following:

6. A computer implemented method for managing groups of objects for use in a reporting system project comprising the steps of:

- receiving a command to perform a selected function on a selected object;
- automatically identifying dependent objects referred to by the selected object;
- determining using a computer processor an appropriate manner of executing the selected function on the selected object;

determining using a computer processor appropriate functions to be performed on the dependent objects;

automatically causing the appropriate functions to be performed on the dependent objects;

automatically causing the execution of the selected function on the selected object in the appropriate manner;

wherein objects are grouped in projects and the selected function relates to manipulating objects within and between projects and wherein within each project each object has a unique identifier and a version identifier; and

wherein the step of receiving is a step of receiving a command to copy a selected object from a source project to a destination project.

15. A system application stored on a computer-readable storage medium for managing objects within and between projects of a reporting system, the objects including unique identifiers and version identifiers that are similar between projects, the system application comprising:

a user interface for receiving a user command to manipulate a selected object;  
an operational module interfacing with the projects for identifying dependent objects referred to by the selected object, determining an appropriate manner of executing the user command, determining appropriate functions to be performed on the dependent objects, performing the appropriate functions on dependent objects, and executing the user command in the appropriate manner;

wherein the operational module, upon receiving a user command to copy the selected object from a source project to a destination project, determines, by comparing the unique identifiers and the version identifiers, whether the selected object exists in the destination project in an identical form and whether the selected object exists in the destination project in a modified form; and

wherein the operational module communicates with the user interface to select whether to copy the selected object from the source project to the destination project, to replace an object in the destination object with the selected object, and to keep an object in the destination project as is.

### **CONTACT INFORMATION**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571)272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Li B. Zhen/  
Primary Examiner, Art Unit 2194

/Lewis A. Bullock, Jr./  
Supervisory Patent Examiner, Art Unit 2193